



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**  
DIVISION OF PROFESSIONAL REGULATION

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<b>MEETING MINUTES:</b>	<b>BOARD OF CHARITABLE GAMING</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, June 6, 2013 at 1:00 p.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room B</b> , second floor of the Cannon Building
<b>APPROVED:</b>	July 2, 2013

**MEMBERS PRESENT**

Scott Angelucci, Chairman, Public Member  
Janet Williams-Coger, Non-Profit Member, Vice Chair (arrived at 1:10 p.m.)  
Francis Gant, DE Volunteer Fireman's Association Member  
Tim Winstead, State Lottery Office Member

**MEMBERS ABSENT**

Sharon McDowell, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

Robert Willard, Deputy Attorney General  
Amanda McAtee, Administrative Specialist II  
James Collins, Division Director  
Kay Warren, Deputy Director  
Jean Betley, Lead Investigator

**PUBLIC PRESENT**

William Seuffert, First State Harmonizers and the ARC of Delaware  
Jack Vogel, Harrington Fire Company

**CALL TO ORDER**

Mr. Angelucci called the meeting to order at 1:02 p.m.

**APPEAL HEARING**

Association for Human Rights Defense International – CANCELLED by request of the  
Association for Human Rights Defense International

Ms. McAtee stated that she received an email from Mr. Gabriel on June 3, 2013 with a letter attached dated June 2, 2013 that cancelled their appeal request.

**REVIEW AND APPROVAL OF MINUTES**

The Board reviewed the meeting minutes of May 2, 2013. Mr. Gant made a motion, seconded by Mr. Winstead, to approve the minutes as presented. The motion carried unanimously.

The Board reviewed the public workshop minutes from March 14, 2013 and April 29, 2013. Mr. Winstead made a motion, seconded by Mr. Gant, to approve the minutes as presented. The motion carried unanimously.

## **UNFINISHED BUSINESS**

### **Final Denials**

#### **Association for Human Rights Defense International**

The Association for Human Rights Defense International cancelled their request for an appeal; Mr. Gant made a motion, seconded by Mr. Winstead, to deny the charitable gaming application of the Association for Human Rights Defense International for failure to meet statutory requirements and future requested online lotteries events would be denied based on the fact the Board did not have the Statutory authority to grant such applications. The motion carried unanimously.

### **Re-Review of Contingent Approvals and PTD Applications**

#### **Tri-State Bird Rescue & Research, Inc.**

Ms. McAtee stated that this application was tabled at the May meeting and Tri-State Bird Rescue & Research, Inc. submitted an updated member in charge letter and clarified their statement of funds. Tri-State Bird Rescue & Research, Inc. also clarified for the Board that their organization operated entirely in the State of Delaware. After review and discussion, Mr. Winstead made a motion, seconded by Mr. Gant, to approve the Raffle application. The motion carried unanimously.

### **Consent Agreement Compliance Update – Suzanne Thurman of the MERR Institute**

Ms. McAtee stated that she received the voided checks for Raffle refunds and a voided check made out to the Boys and Girls Club of Georgetown. Ms. McAtee stated that the MERR Institute was in compliance with their Board order and the Board agreed. The Board requested that Ms. McAtee draft a letter to the MERR Institute stating that the Board found them in compliance with their Board Order.

### **Continued Discussion of 28 Del. C. § 1130 Power to License in Reference to Raffles**

Mr. Willard read the part of the law that has been quoted previously:

§ 1130. Power to license. (a) The Board may license an organization as defined in article II, § 17A or § 17B of the state Constitution to conduct the games, provided the organization is located in and seeks to conduct the game in a district which has approved the licensing of games by referendum.

Mr. Willard stated that this law was passed before the districts voted and it had been interpreted that if a district did not approve the sale of raffle tickets by referendum, then Raffle tickets could not be sold there. There was vagueness in the law and the law had been reinterpreted to mean that tickets could be sold in districts. Mr. Collins did not agree that this Board or the State legislature could write a law or interpret a law to extend to another state. It was really on the Maryland organization to comply with their state laws regarding Raffles. Mr. Gant stated that from his understanding it was because the proceeds were going to clubs that were not located in the State of Delaware. Mr. Willard confirmed that was one of the issues, and that the Milford Lions Club was part of a larger district, so they were considered all one district, and they should be allowed to sell to everyone in their district.

Mr. Angelucci stated that the Board's duty was ensure that organizations were following Delaware laws. Mr. Collins stated that the safe place for the Board was to stick to the regulation of what happened in the State of Delaware.

Ms. Betley stated that the Rules and Regulations had specific rules regarding the responsibilities of the member in charge and the Rules and Regulations covered other organization members selling Raffle tickets. There were limitations in place regarding the sale of tickets; the Rules were against anyone selling the tickets for reward or compensation.

Mr. Collins stated that the Board should be thoughtful if they were considering a modification to the Raffle Rules and Regulations and if anything was changed accountability needed to exist. Mr. Willard stated that from the conversation it seemed that the Board could not take action on this issue. He would go back and talk to the attorneys to see if they could come up with something.

Mr. Collins stated that two questions existed for the Board:

- 1) Does the Board have any role in facilitating games beyond the boarder of Delaware?
- 2) If the State of Delaware licensed by chapters, was that the best way to do it with regards to control and accountability or should organizations be permitted to partner with each other within the state?

Mr. Angelucci stated that allowing organizations within the state to partner with each other had merit and he did not believe the Board had the authority to approve or govern out of state Raffle sales.

Mr. Collins stated that allowing organizations within the state to partner with each other was a separate conversation but it would be good to have a conversation on how to consolidate ticket sales, right now the laws did not even allow for sharing with other districts within the State of Delaware. Ms. Betley stated that if there was some way to allow a multi-chapter application that would possibly help many different organizations.

Mr. Angelucci suggested that a survey could be conducted to determine if the idea of consolation would help a large number of Delaware non-profit organizations.

Mr. Gant made a motion, seconded by Ms. Williams-Coger, for the Division to work on a survey to see if allowing organizations within the State of Delaware to partner with each other during a Raffle would help a large amount of organizations.

Mr. Gant questioned Ms. Warren about the Bingo limit increases that were discussed at the last meeting. Ms. Warren stated that the Sunset committee agreed and adopted the limits suggested. The Bill would be sponsored by the joint Sunset Committee (Senator Poore) and next week was the last committee week.

Mr. Angelucci stated that he received an email from Mr. Greene, and inquired if there was some sort of letter that should be sent out when a member ended their Board term. Ms. McAtee stated that there was a certificate that could be created and mailed if the Board wished to do so. Mr. Gant made a motion, seconded Mr. Winstead, to recognize Mr. Greene's service and have the Division send out a service recognition certificate to Mr. Greene. The motion carried unanimously.

## **NEW BUSINESS**

### **Executive Session – None**

### **Board Member Reports**

Mr. Winstead stated that his office discovered a machine at a Seaford VFW that was being called an Instant Bingo machine but it appeared that it was a slot-machine. The definition of Instant Bingo stated it was to be played with sealed or covered cards that must be opened in some fashion. Mr. Gant made a motion, seconded by Ms. Williams-Coger, to request a gaming inspector to inspect the Instant Bingo machines located at the Seaford VFW since there was a valid Instant Bingo permit for the facility. The motion carried unanimously.

### **Delegation of Authority – None**

### **Review of Applications for Texas Hold'Em Tournaments – None**

### **Review of Applications for Charitable Gaming Events – None**

### **Review of Applications for Instant Bingo Events- None**

### **Review of Applications for Bingo Events**

#### **Georgetown Fire Company (First Time Applicant)**

Mr. Angelucci reviewed and summarized the Bingo application of the Georgetown Fire Company. After discussion, Mr. Winstead made a motion, seconded by Ms. Williams-Coger, to approve the Bingo application contingent upon receiving an IRS designation letter. The motion carried unanimously.

**Review of Applications for Raffles**

Cheswold Ladies Auxiliary

St. Mary Magdalen School

Delmar Fire Department Inc.

Little Sisters of the Poor

St. Joseph's Catholic Church

National Wild Turkey Federation Inc.

Mid-Atlantic Foundation for Safety and Education

NUR Shrine

Loyal Order of the Moose New Castle Lodge 1578

Mr. Angelucci reviewed and summarized the Raffle applications of the Cheswold Ladies Auxiliary, St. Mary Magdalen School, Delmar Fire Department Inc., Little Sisters of the Poor, St. Joseph's Catholic Church, National Wild Turkey Federation Inc., Mid-Atlantic Foundation for Safety and Education, NUR Shrine, and Loyal Order of the Moose New Castle Lodge 1578. After discussion, Mr. Winstead made a motion, seconded by Ms. Williams-Coger, to approve the Raffle applications. The motion carried unanimously.

**Review of Requests to Amend Previously Approved Event – None**

**Inclement Weather/State of Emergency Requests – None**

**Ratification of Charitable Gaming Event Permits Issued**

Ms. Williams-Coger read aloud the Charitable Gaming ratification list. Mr. Gant made a motion, seconded by Mr. Winstead to ratify the Charitable Gaming licensure of the Midway Lions Club, Cape Henlopen Senior Center, Knights of Columbus - Christopher Council, Seaford Lions Foundation, Holy Family Church, and Homeless Cat Helpers. The motion carried unanimously.

**Ratification of Bingo Event Permits Issued**

Ms. Williams-Coger read aloud the Bingo ratification list. Mr. Gant made a motion, seconded by Mr. Winstead to ratify the Bingo licensure of the Frederica Senior Center, Delaware Veterans Post 2, Oak Orchard American Legion Post 28, Order of the Eastern Star, Middletown Moose Lodge 1295, Indian River Volunteer Fire Company, Clayton Fire Company, Bowers Fire Company Ladies Auxiliary, Pot Nets Home Owners Association, Cape Henlopen Elks Lodge # 2540, Milton Fire Department Ladies Auxiliary, and Mill Creek Fire Company Ladies Auxiliary. The motion carried unanimously.

**Hearings/Consent Agreements – None**

**Complaint Assignments and Updates – None**

**Inspection Reports**

St. Helena's Roman Catholic Church

CAMP Rehoboth

Mr. Angelucci stated that St. Helena's Roman Catholic Church and CAMP Rehoboth were recently inspected. There was no discussion.

**Responses to Inspection Letters of Concern/Warning**

Knights of Columbus Seton Council #7990

Nanticoke Memorial Hospital

Mr. Angelucci stated that the Board received inspection response letters from Knights of Columbus Seton Council #7990 and Nanticoke Memorial Hospital. There was no discussion.

**CORRESPONDENCE – None**

### **PUBLIC COMMENT**

Ms. Betley had a question from the inspectors; an organization wanted to use other people from the public as dealers and decided to make them honorary members so that they could use them as dealers. Mr. Willard stated that the law did not have authority over that and Mr. Angelucci stated that the organization could name someone to be a dealer that was not a member of the organization.

Bill Seuffert from the ARC of Delaware, wanted to know how to Raffle a four digit tag donated to them by the DMV. Ms. McAtee stated that Raffle applications were on the website for the Division of Professional Regulation. The Board stated that he would need to submit a fair estimate or an appraised value of the prize item on the Raffle application.

Jack Vogel from Harrington Fire Co. stated that he received a package of Raffle tickets from a New York State Fire Company and the company asked him to sell them. He stated that he put his name on all the tickets and sent them a donation. Mr. Angelucci stated that Delaware did not regulate Raffle events in other states and he was fine in doing what he did.

### **NEXT MEETING**

Due to the July 4th holiday the next scheduled Board meeting is Tuesday, July 2, 2013 at 1:00 p.m., at 861 Silver Lake Boulevard, Cannon Building Conference Room C, Dover, Delaware.

### **ADJOURNMENT**

There being no further business before the Board, Mr. Gant made a motion, seconded by Mr. Winstead, to adjourn the meeting at 2:50 p.m. The motion carried unanimously.

Respectfully Submitted,



Amanda McAtee  
Administrative Specialist II

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*